

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE DYNEGY INC.
SHAREHOLDER LITIGATION

§ Master Docket 4:10-cv-03145
§
§ CLASS ACTION

This Document Relates to:
ALL ACTIONS

§
§
§

AGREED MOTION TO DISMISS WITHOUT PREJUDICE

Plaintiffs move to dismiss all claims against Defendants and would show the Court the following:

Plaintiffs agree to dismiss without prejudice all claims against Defendants. An agreed order of dismissal is attached.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs and Defendants jointly move for dismissal of all pending claims without prejudice, and for such other and further relief as is just and reasonable.

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CERTIFICATE OF CONFERENCE

I, Gwendolyn S. Frost, am counsel of record for plaintiff Joseph Cotellessa. I hereby certify that I have conferred with counsel for all parties concerning the foregoing motion. Defendants confirmed that they are unopposed to the Agreed Motion to Dismiss Without Prejudice.

/s/ Gwendolyn S. Frost
Gwendolyn S. Frost

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2011, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the counsel who are registered with this Court. All others were served a copy via U.S. mail postage prepaid.

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